

REMARKS

1. Applicant notes and appreciates examiners indication of allowable independent claims 25 and 45.
2. In response to the Notice of Non-Compliant Amendment, all of the claims have now been given the proper status identifier.
3. Claims 1-7, 9, 11-14, 21-23, 31-33 and 38-44 are canceled.
4. Applicant submits herewith copies of the foreign references cited in the IDS submitted 7/29/2005. English translations of the foreign references are not readily available.
5. Applicant respectfully requests consideration of withdrawn claims 15-20 and 24, which have been amended to depend from allowable claim 45. Claims 15-20 and 24 as recited above add additional features to independent claim 45 and thus are submitted to be a-fortiori, patentable. Claim 45 is generic with respect to claims 15-19, as claim 45 recites a body and claims 15-19 further define the body.

Claim 45 is generic with respect to claims 20 and 24, as claim 45 recites a body having two opposing transverse edges. Claim 20 further defines the body by reciting, wherein said body has a thickness that decreases from one transverse edge to the second transverse edge and Claim 24 further defines the body by reciting, wherein said body has a width that increases from one transverse edge to the second transverse edge.

6. Applicant respectfully request consideration of withdrawn claims 26-29, 30, 34 and 35, which have been amended to depend from allowable claim 25. Claims 26-29, 30, 34 and 35 as recited above add additional features to independent claim 25 and thus are submitted to be a-fortiori, patentable. Claim 25 is generic with respect to claims 26-29, as claim 25 recites a body and claims 26-29 further define the body .

Claim 25 is generic with respect to claims 30 and 34, as claim 25 recites a body having two opposing transverse edges. Claim 30 further defines the body by reciting, wherein said body has a thickness that decreases from one transverse edge to the second transverse edge and claim 34 further defines the body by reciting, wherein said body has a width that increases from one transverse edge to the second transverse edge.

Claim 25 is generic with respect to claim 35, as claim 25 recites a plurality of flat heat exchanger plates arranged side-by-side in a spaced relationship and claim 35 adds the additional feature of at least one removable seal positioned between the sides sheets of two adjacent flat heat exchanger plates. Applicant notes claim 35 should have been originally elected as it reads upon Species A shown in Figure 1 and Figure 16.

7. In view of the above, it is respectfully submitted that:

Claims 8-45, as amended, recite distinctions that are of patentable merit under 35 USC 103(a), and under 35 USC 112 for the independent claims and thus for each dependent claim as well. Claims 8-45 are in condition for allowance. Reconsideration and withdrawal of the rejections and objections are requested. Allowance of claims 8-45 at an early date is solicited.

The Examiner is hereby requested to telephone the undersigned agent of record at 727-345-1450 if such would further or expedite the prosecution of the instant application.

Respectfully submitted,



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